

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	ORDER OF FORFEITURE/
- v. -	:	<u>MONEY JUDGMENT</u>
	:	
EDWARD SHIN,	:	
a/k/a “Eungsoo Shin,”	:	S3 19 Cr. 552 (JPC)
	:	
Defendant.	:	
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WHEREAS, on or about March 8, 2022, EDWARD SHIN, a/k/a “Eungsoo Shin,” (the “Defendant”), was charged in a six-count Superseding Indictment, S3 19 Cr. 552 (JPC) (the “Indictment”), with conspiracy to commit bank fraud and wire fraud affecting a financial institution, in violation of Title 18, United States Code, Section 1349 (Count One); conspiracy to commit bank bribery, in violation of Title 18, United States Code, Section 371 (Count Two); bank bribery, in violation of Title 18, United States Code, Sections 215(a)(2) and 2 (Count Three); theft, embezzlement, or misapplication by a bank officer, in violation of Title 18, United States Code, Section 656 (Count Four); conspiracy to commit loan fraud, in violation of Title 18, United States Code, Section 371 (Count Five); and conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349 (Count Six);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Six of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offenses charged in Counts One through Six of the Indictment, including but not limited to a sum of money in United States

currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Six of the Indictment;

WHEREAS, on or about May 25, 2022, the Defendant was found guilty, following a jury trial, of Counts One through Six of the Indictment;

WHEREAS, the Government asserts that \$5,521,550 in United States currency represents any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offenses charged in Counts One through Six of the Indictment, that the Defendant personally obtained, of which \$3,670,000 the Defendant is jointly and severally liable with Byung Hoon Kim, a/k/a “James Kim” charged in 19 Cr. 392 (JPC), to the extent a forfeiture money judgment is entered against Kim; and

WHEREAS, the Government seeks a money judgment in the amount of \$5,521,550 in United States currency, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offenses charged in Counts One through Six of the Indictment;

WHEREAS, the Court finds that as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Six of the Indictment that the defendant personally obtained cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Six of the Indictment, of which the Defendant was found guilty, following a jury trial, and for the reasons stated at sentencing on October 6, 2022, a money judgment in the amount of \$5,506,550 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One through Six of the Indictment that the

Defendant personally obtained, of which the Defendant is jointly and severally liable with Byung Hoon Kim, a/k/a “James Kim” charged in 19 Cr. 392 (JPC) for \$3,655,000 to the extent a forfeiture money judgment is entered against Kim, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, EDWARD SHIN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

Dated: New York, New York
October 7, 2022

SO ORDERED:

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

HONORABLE JOHN P. CRONAN
UNITED STATES DISTRICT JUDGE